

Fiscal Note

Fiscal Services Division



HF 2314 – Weapons Permits Verification and Record Confidentiality (LSB5576HV)
Analyst: Debra Kozel (Phone: 515-281-6767) (deb.kozel@legis.iowa.gov)
Fiscal Note Version – New

Description

House File 2314 details procedures for the issuance, verification process, and record maintenance for nonprofessional permits to carry weapons. The fee for a nonprofessional permit to carry a weapon is \$50. The bill requires the Department of Public Safety (DPS) to administer this program that will be funded with the permit fees. The bill also includes:

- The electronic verification of a nonprofessional permit by a peace officer.
- A simple misdemeanor offense and a \$10 fine for a person not carrying a nonprofessional permit.
- That the DPS will issue a durable nonprofessional permit to an approved applicant.
- An applicant must complete a handgun safety course in a classroom or by using the Internet.
- Standards for maintaining records for nonprofessional permits and confidentiality issues.
- A Class D felony offense for a person that knowingly persuades or encourages a firearms dealer or private seller to transfer ownership of a firearm or ammunition.
- A Class D felony offense for a person that knowingly provides false information to a firearms dealer or private seller to transfer ownership of a firearm.

Background

Current law for nonprofessionals that carry weapons is outlined in Iowa Code section [724.7](#). A person that meets the application requirements and completes the training requirements can receive a nonprofessional permit to carry a weapon. The permit is issued by the DPS and is different in appearance from a professional permit to carry weapons.

Assumptions

Correctional impact assumptions:

- Charge, conviction, and sentencing patterns and trends will not change over the projection period.
- Prisoner length of stay, revocation rates, and other corrections policies and practices will not change over the projection period.
- The law will become effective July 1, 2016. A lag effect of six months is assumed from the law's effective date to the date of first entry of affected offenders into the correctional system.

Fiscal impact assumptions:

- The DPS will develop and administer a system that allows a peace officer to electronically verify the validity of a person's nonprofessional permit to carry a weapon.
- The DPS will create a central database that will interface with the Iowa Online Warrants and Articles (IOWA) Criminal Justice Information Network.
- The nonprofessional permit issuance fee is \$50 and the fee is deposited in the Weapons Permit Revenue Fund.
- The DPS will issue and mail a durable permit to the permit holder. This will require the DPS to print and distribute permit cards or to contract with an outside company.
- Staff necessary to implement this bill will not be hired before September 2016.

Summary of Impacts

Correctional Impact: There is no correctional impact for the crime of failure to carry a nonprofessional permit as the offense is a simple misdemeanor with a fine of \$10. The correctional impact for the crime of fraudulently transferring ownership of a firearm or ammunition or providing false information for transfer of ownership of a firearm is unknown, as it is uncertain how many new Class D felony crimes would be captured under this bill.

Fiscal Impact: There is no impact to the General Fund. Expenditures will be paid from the Weapons Permit Revenue Fund. The DPS estimates an increase in expenditures of \$1.4 million for FY 2017 and \$438,000 for FY 2018 and each year after. The table below details the expenditures:

Department of Public Safety Estimated Expenditures		
	FY 2017	FY 2018
Personnel		
Management Analyst 3	\$ 56,000	\$ 68,000
Information Tech Specialist	61,000	74,000
Administrative Assistant	41,000	49,000
Clerk Specialist	37,000	44,000
Total Personnel	\$ 195,000	\$ 235,000
Training and Travel	\$ 9,000	\$ 3,000
Permit Tracking System		
Central Database Development	\$ 97,000	\$ 0
Central Database Maintenance	6,000	6,000
Iowa System Interface	100,000	0
Iowa System Maintenance	7,000	7,000
Total Database Expenditures	\$ 210,000	\$ 13,000
Permit Issuance	\$ 933,000	\$ 187,000
Total Expenditures	\$ 1,347,000	\$ 438,000

Simple Misdemeanor

The fiscal estimate is unknown as it is unclear how many new crimes will be committed. Simple misdemeanor costs include:

- The cost to the indigent defense fund per simple misdemeanor case is \$300.
- The average cost to the Judicial Branch per simple misdemeanor case is \$30.
- The average state cost for one aggravated misdemeanor conviction ranges from \$30 to \$330. The minimum cost includes court time of a Magistrate or District Associate Judge, court reporter, court attendant, and Clerk of Court staff. The maximum cost includes court time and the costs of indigent defense.

Class D Felony

The fiscal estimate is unknown as it is unclear how many new crimes will be committed.

Class D felony costs include:

- The cost to the indigent defense fund per Class D felony case is \$1,200. The average cost to the Judicial Branch per Class D felony case is \$452.
- The average state cost for one Class D felony conviction ranges from \$6,300 to \$12,000.
- The minimum average cost includes court time of a District Court Judge, court reporter, court attendant, and Clerk of Court staff plus the costs of indigent defense and probation supervision. The maximum cost includes court time and the costs of a jury trial, indigent defense, state prison, and parole supervision.

Minority Impact: There is no minority impact expected as a result of this bill.

Sources

Department of Human Rights, Criminal & Juvenile Justice Planning Division
Department of Public Safety

/s/ Holly M. Lyons

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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
